

REMARKS

In response to the Office Action dated May 20, 2004, Applicant respectfully requests favorable reconsideration of this application.

Applicant thanks the Office for the indication that claims 33-35 are allowable and that claims 5, 16 and 26 are merely objected to as depending upon a rejected base claim.

The remaining claims have been rejected based on a new combination of prior art, namely, the combination of Shuping with Eichel.

The Present Invention

The present invention pertains to a method and apparatus for simultaneously displaying multiple web pages in a virtual space on a computer monitor, the virtual space comprising multiple panels, and wherein a user may navigate through the virtual space by selectively moving a page from one panel to another panel. When a user moves a page, all of the other pages in the display shift among the panels correspondingly to maintain the relative spatial organization of the pages. In accordance with the invention, in order to facilitate certain types of web surfing experiences, such as shopping, one page can be made to stay in the same panel of the display while the user navigates through the virtual space, while all of the other pages continue to shift among the panels in accordance with the virtual spatial relationship of the pages to each other. The selected web page is coined the "always there" page. For instance, when a user is shopping, it may be particularly desirable for the shopping cart page to always

be displayed in a particular panel as the user navigates through the other pages of the web site. In accordance with the invention, a user may designate such a page as an "always there" page, in which case the browser will keep that page in the same panel even as the user navigates through the other pages.

The Office previously had rejected the presently rejected claims as anticipated by Shuping. In response to the previous Office Action, Applicant amended the independent claims to include the limitation formerly found in dependent claims 6, 17 and 27 that the information designating a page as an "always there" page was provided in that web page itself and argued that Shuping did not teach such a feature.

In view of those amendments and/or arguments, the Office withdrew the rejections based on Shuping, but now rejects the same claims as obvious over Shuping in view of Eichel.

Particularly, the Office asserts:

Eichel discloses the limitation of designating at least one of said web pages as always there page responsive to data contained in said at least one Web page as the technique of from the home page, a visitor can access other files and applications at a web site (see col. 8, lines 1-2).

The Office then argued that it would have been obvious:

to include Eichel's teaching of home page as always there page wherein from that always there home page user can access other data contained in that home page into Shuping's invention. By doing so, the system would be enhanced by allowing always there home page remains in active, while its end user perform surfing on other files or pages contained in that home page. Thus, the system would direct user back to the home page after finishing surfing the Web.

Applicant respectfully traverses. Eichel discloses nothing even remotely resembling an “always there” page, let alone an “always there” page in which the information designating it as an “always there” page is contained in the page itself. The Office specifically referred to column 8, lines 1-2 of Eichel as teaching this feature. This portion of Eichel discloses:

A Web site is conventionally a related collection of Web files that includes a beginning file called a “home” page. From the home page, the visitor can access other files and applications at a Web site. A large Web site may utilize a number of servers, which may or may not be different and which may or may not be geographically-dispersed. For example, the Web site of the International Business Machines Corporation (www.ibm.com) includes thousands of Web pages and files spread out over multiple Web servers in locations world-wide. (Column 7, line 66 through column 8, line 8).

The above-quoted portion of Eichel discloses nothing other than a web site with a home page. Eichel contains no disclosure concerning an “always there” page. In fact, Eichel does not even disclose a web browser that shows more than one web page simultaneously. The “always there” page concept of the present invention is inapplicable in the context of Eichel’s standard web browser, which shows only one web page at a time. The fact that “from the home page, a visitor can access other files and applications at a web site” (Office Action, page 5, second full paragraph) refers to nothing more than standard hyperlinking to other pages.

There is nothing in Eichel that contemplates anything other than a standard web browser and standard browsing techniques. In a standard web browser, only one web page is displayed at any given instant. When one

hyperlinks to another web page, the first web page disappears and is replaced by the new web page.

To the extent it is of any relevance to the present invention, this process of standard hyperlinking is essentially the opposite of what is claimed. Particularly, the process of hyperlinking in a standard web browser involves removing the home page from the display and replacing it with the new page. That is basically the opposite of the “always there” page, which remains in the same position on the display regardless of what the user does in connection with accessing and/or viewing other Web pages.

Accordingly, these claims distinguish over the prior art of record because Eichel does not disclose that for which it has been cited.

Furthermore and in any event, the Office’s explanation of why the proposed combination would be obvious is a perfect example of improper hindsight reconstruction. In order for a proposed combination of references to be proper, there must be a suggestion in the prior art of making the proposed combination. The Office asserts that the proposed combination is obvious because:

the system would be enhanced by allowing ‘always there’ home page remains inactive, while its end user perform surfing on other files or pages contained in that home page. Thus, the system would direct the user back to the home page after finishing surfing the Web.

This is not evidence of a suggestion to combine in the prior art. This is nothing more than a restatement of the Applicant’s disclosure. Applicant certainly does not dispute that an “always there” home page enhances web surfing by allowing a particular page to remain in the display while the user surfs

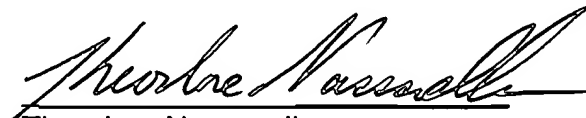
through other pages, as asserted by the Office. However, this is nothing more than a repetition of the present invention and its advantages as described by the applicant itself in the present specification. The Office has not offered any evidence or explanation of where in the prior art this advantage or combination is suggested.

The fact that a disclosed invention constituted an enhancement over the prior art cannot constitute the motivation in the prior art to make that invention. Otherwise, every invention would be unpatentable. Merely restating the advantage of the invention and then offering it as the reason why the invention is obvious is classic hindsight reconstruction and is improper.

Accordingly, the Office should withdraw all rejections and issue a Notice of Allowance in connection with this application. The Office is invited to contact applicant's undersigned counsel by telephone to resolve any further matters in connection with this application.

Respectfully submitted,

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